

PROOF OF CLAIM

Generally, a creditor must file a proof of claim in order to participate in any distribution that may be made in a bankruptcy case. (In Chapter 11 cases, most creditors whose claims are scheduled - *i.e.*, listed by the debtor on the debtor's schedules - but not listed as disputed, contingent, or unliquidated, need not file claims because the schedule of liabilities is deemed to constitute evidence of the validity and amount of those claims.) Bankruptcy Rule 3001(a) directs that a proof of claim is to conform substantially to the appropriate Official Form, currently Form 10. It is recommended that a duplicate of the proof of claim be submitted (along with a stamped, self-addressed envelope) for date-stamping and return as evidence of filing.

Proof of claim forms are available at the Clerk's Office, and at the court's Internet site (at the Home page, click on Forms → Local Forms → PROOF OF CLAIM). They are also mailed to creditors in those cases in which a distribution to creditors is anticipated (Chapter 11, Chapter 13, and certain Chapter 7 cases). Such creditors will also be notified as to the deadline for filing proofs of claim.